IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

LA.App..No. 812 of 2005()

LAR.7/2001 of SUB COURT, PATHANAMTHITTA
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APPELLANT: CLAIMANTS
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1. C.K.THOMAS, CHARUVIL,
VETTIPURAM, PATHANAMTHITTA.

2. LEELAMMA THOMAS OF DO.DO.

BY ADV. SRI.K.R.SUKUMARA PILLAI

RESPONDENTS: RESPONDENTS
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1. STATE OF KERALA, REPRESENTED BY
THE DISTRICT COLLECTOR, PATHANAMTHAITTA.

2. THE SECRETARY,
MUNICIPALITY, PATHANAMTHITTA.

BY ADV. SRI.A.N.RAJAN BABU
GOVT.PLEADER SRI.K.V.MANOJKUMAR.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 23/10/2007, ALONG WITH LAA NO.850 OF 2005 & CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.Nos.812, 850, 888 & 1033 2005

Dated this the 23rd day of October, 2007

JUDGMENT

Kurian Joseph,J.

These are appeals filed by the claimants aggrieved by the fixation of land value at the rate of Rs.10,000/- per Are in respect of the property acquired for the purpose of ring road to Pathanamthitta town. In a connected matter in L.A.A.No.549/2005 arising out of L.A.R.No.37/2000 it is seen that the reference court has fixed land value at Rs.15,000/- per Are. The property therein is lying interior and is wet land without road access. The acquired property in these cases is similar and similarly situated wet land without road access. Therefore, we do not find any justification in not fixing the land value at Rs.15,000/- per Are as fixed in L.A.R.No.37/2000. Therefore, all these appeals are partly allowed holding that the land value in these cases shall be Rs.15,000/- per Are. The appellants will also be entitled to all the consequential statutory benefits.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

ahg.

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.Nos.812, 850, 888
& 1033 2005

JUDGMENT

23rd October, 2007